## REMARKS/ARGUMENTS

Status Of The Claims

This is an Amendment and Reply to the non-final Office Action mailed July 18, 2008, in which the following rejections were set forth: Claims 1-3, 5-9, and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ott*, in view of U.S. Published Patent Application 20050173018 of Herre et al. ("*Herre*"), and further in view of *Akeel*; Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ott*, in view of *Herre* and *Akeel*, and further in view of *Kendall*; Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ott* in view of *Herre* and *Akeel*; and, Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ott* in view of *Herre* and *Akeel*, and further in view of *Sedlacsik.*

Applicant thanks the Examiner for the removal of the finality of the Office Action mailed May 9, 2008. If the Examiner did not intend to remove the finality of the Office Action mailed May 9, 2008, Applicant requests that the Examiner immediately contact the Applicant's counsel.

By this response, Claim 1 has been amended, and no claims have been cancelled or added. As such, Claims 1-12 are pending in this application.

§ 103(a) Claim Rejections

Applicant's amendments to Claim 1 are fully supported by the originally filed application, most notably, pages 7-9. In particular, page 7, lines 2-26 disclose a passage 9a that is formed within the first pig station 6a. It is further described on page 8, lines 1 to 4, that among others, a passage 16a leads to the passage 9a of the first pig station 6a. This passage 16a in turn is connected to the paint supply source (see page 8, lines 26-31). Thus, the junction of the passage 16a and the passage 9a forms a connection of the passage 9a of the first pig station 6a to the paint supply source.

As further described on page 9, lines 16-20, of the original application, the mouth of the passage 9a of the first pig station 6a is connected to the mouth of the second pig station 7a via the pig line 35a. Accordingly, the mouth of the passage 9a of the first pig station 6a forms a connection to the pig line 35a. The passage 9a of the first pig station 6a therefore extends between a connection to the paint supply source and a connection to the pig line 35a.

Because the construction of all the pig stations 6a, 6b, 7a, 7b is identical—see page 7, lines 18-20—the second pig station 7b also comprises a passage 9a. As further described at page 9, lines 16-20, the mouth of the passage 9a of the first pig station 6a is connected to the mouth of

the second pig station 7a via the pig line 35a. Accordingly, the mouth of the passage 9a of the second pig station 7a forms a connection to the pig line 35a.

Referring again to page 8, lines 1-4, it is further described that a passage 15a leads to the passage 9a of the first pig station 6a. Because the first and the second pig stations 6a and 7a are identical, the second pig station 7a includes such a passage 15a as well. This passage 15a of the second pig station 7a is connected to a line 43a which leads to the paint application device 1 via lines 46a, 48, and 58. Thus, the junction of the passage 15a and the passage 9a of the second pig station 7a forms a connection of the passage 9a of the second pig station 7a to the paint application device 1. As such, the passage 9a of the second pig station 7a extends between a connection to the pig line 35a and a connection to the paint application device 1.

*Ott*

As set forth in Applicant's previous responses, *Ott* discloses a method wherein a paint volume is conveyed between two pigs 18, 19 within a paint line 2. The pigs 18, 19 are propelled either by compressed air or by an isolating liquid 41. The paint device as disclosed by *Ott* comprises two similarly constructed paint lines 2 and 2'. While *Ott* reveals an automatic color changer 8, 8' by which the space between the pigs 18, 19 may be filled with several paints, *Ott* does not describe how to clean the paint lines 2, 2' or how to discharge residual paint remaining between the two pigs when the paint process has been completed.

As such, *Ott* fails to disclose, at least:

- the pig line being cleaned on the return path of the pigs from the second to the first pig station by means of a give quantity of cleaning agent that is conveyed by at least one pig;
- the cleaning agent being transported between the two pigs on return from the second pig station to the first pig station; and,
- the residual paint remaining between the two pigs after completion of the painting process being disposed via the second pig station.

Thus, and as admitted in the Office Action, *Ott* fails to disclose each and every feature of Applicant's amended Claim 1.

*Herre*

*Herre* discloses a paint apparatus that is described in detail with respect to figures 4 to 24 thereof. An application device 130 (see figure 4 of *Herre*) is connected to a respective paint

canister 134, 136 via two supply lines 140, 144. Two pigs 166, 168 are arranged in each of the supply lines 140, 144. Because both supply lines 140, 144 have similar functionality, further discussion of the paint supplied to the application device will be made in reference to supply line 140.

The supply line 140 extends between a first pig station 162 and a second pig station 164. Adjacent to the first pig station 162—but between the first pig station 162 and second pig station 164—the supply line 140 is connected to the paint canister 134 via a line 196. Adjacent to the second pig station 164—but between the second pig station 164 and the first pig station 162—the supply line 140 is connected to the application device 130 via a line 132.

In other words, the first pig station 162 is connected to the supply line 140 and to the paint canister 134 on one and the same side of the first pig station 162. Correspondingly, the second pig station 164 is connected to the supply line 140 and to the paint application device 130 on one and the same side of the second pig station 164. Therefore, the first pig station 162 does not comprise a passage that extends between a connection to the paint supply source and a connection to the pig line, i.e. the supply line 140. Correspondingly, the second pig station 164 does not comprise a passage that extends between a connection to the pig line, i.e. the supply line 140, and a connection to the paint application device 130.

In the instance where paint is to be delivered to the application device 130, initially a solvent S from a solvent source 170 is supplied between the two pigs 166, 168 which are arranged within the first pig station 162. Subsequently, the pigs 166, 168 with the solvent S between them are conveyed in the direction towards the application device 130 unless the rear pig 166 arrives at a position upstream beyond the line 196, which leads to the paint canister 134 (see figure 6).

After filling the paint canister 134 with paint P via a color changer 120 (see figures 6 to 8), the paint P is pressed into the supply line 140 by moving a piston 137 within the paint canister 134. That paint P conducts the pigs 166, 168 with the solvent S there between in the direction towards the application device 130 and the second pig station 164, respectively.

When the solvent S between the pigs 166, 168 reaches the connection of the line 132 to the supply line 140 in front of the second pig station 164, the solvent S is pushed towards the application device 130 via that line 132 and cleaning the latter. After drying the line 132 by compressed air, the paint P upstream the rear pig 166 is pushed to the application device 130 via

the line 132 while the pigs 166, 168 are arranged within the second pig station 164 and the paint process occurs.

Figures 12-16 of *Herre* primarily pertain to preparing the system for a change of color. As such, Applicant believes that these figures are not relevant to Applicant's application and therefore refrains from further discussion with respect to these figures.

In accordance with figure 17 of *Herre*, a solvent S from a further solvent source 172 is delivered between the two pigs 166, 168 arranged within the second pig station 164 when the application process has been completed. The two pigs 166, 168 with the solvent S there between are conducted back to the first pig station 162 by compressed air with the first pig 166 pushing paint which is still in the supply line 140 into the paint canister 134. In further steps, this paint is supplied back to the paint reservoir belonging thereto.

As such, Applicant contends that *Herre* fails to disclose:

- a given paint volume being conveyed between two pigs;
- a passage of the first pig station extending between a connection to the paint supply source and a connection to the pig line, and a passage of the second pig station extending between a connection to the pig line and a connection to the paint application device; and,
- disposing via the second pig station, the residual paint remaining between the two pigs when the painting process has been completed.

Similarly, Applicant contends that the combination of *Ott* and *Herre* also fails to suggest to one of ordinary skill in the art Applicant's amended Claim 1. That is, *Herre* leads only to the conclusion that in cases where the space between two pigs is used for conveying a solvent, the paint must be conveyed in the form of a paint flow through the whole system but not in the form of a paint packet between the two pigs. There simply is no suggestion to be found in *Herre* to fill the space between the two pigs 166, 168 with paint for conveying a paint packet.

Furthermore, considering the teachings of *Ott* and *Herre*, Applicant contends that their combination only teaches to one of ordinary skill in the art that either a paint packet or a solvent packet could be conveyed between two pigs, but not that a paint and a solvent could be alternatively conveyed between two pigs without substantial difficulty in view of the contamination of the paint by the solvent or the disposal of residual paint.

*Akeel*

The Office Action only alleges that *Akeel* teaches the residual paint disposed at a point adjacent to the spray nozzle and therefore is considered as being located at the second pig station. The wording of Applicant's amended Claim 1 however, is not that the residual paint remaining between the two pigs is disposed at the second pig station, but that the residual paint is disposed via the second pig station. In other words, the ejection assembly 212 of *Akeel* is not a pig station for storing pigs temporarily, but is only for the disposal of used pigs to the disposal container 216. Thus, even if one of ordinary skill in the art would understand the ejection assembly 212 as a pig station, in *Akeel* the paint is not disposed via the ejection assembly 212, but is disposed downstream to the ejection assembly 212 through the dump valve 142 to the collection tank 146.

In the event that the paint is to be disposed in Applicant's invention, the paint flows into and through the second pig station. This is possible since the passage within the second pig station is connected with the pig line. In contrast to Applicant's invention, *Akeel* discloses that no paint to be disposed is conducted into the ejection assembly 212. As such, *Akeel's* dump valve 142 is adjusted to prevent a flow of paint to be disposed into the ejection assembly and to divert the paint in question into the collection tank 146 (See *Akeel*, column 6, lines 11-13). Thus, Applicant contends that there is a substantial technical difference between disposing paint via a pig station or downstream thereto. And Applicant further contends that *Akeel* fails to compensate for the shortcomings of *Ott* and *Herre* to disclose each and every element of Applicant's amended Claim 1.

In view of the failure of the relied upon prior, alone or in combination, to disclose, teach, or suggest each and every element of Applicant's amended Claim 1—as well as Claims 2-12 which are ultimately dependent thereon—Applicant respectfully submits all pending claims are in condition for allowance and requests that the rejections to all pending claims be withdrawn and the claims be allowed to issue.

## CONCLUSION

Base upon the above amendments and remarks, Applicant respectfully requests that all rejections be removed and all pending claims be passed to issuance. Applicant believes that no fees are required with this communication, however if any additional fees are required, Applicant authorizes the Commissioner to deduct such fees from Deposit Account No. 50-0545.

Respectfully Submitted,

Dated: October 7, 2008

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**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop - Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 7, 2008.

Yolanda Solis